



Department of Defense

DIRECTIVE

NUMBER 5100.23

May 17, 1967

Incorporating Through Change 2, November 1, 1985

SUBJECT: Administrative Arrangements for the National Security Agency

References: (a) DoD Directive S-5100.20, "The National Security Agency"
(b) DoD Directive 5100.23, "Administrative Arrangements for the National Security Agency," August 25, 1959 (hereby canceled)

1. PURPOSE

This Directive prescribes certain administrative arrangements and delegates administrative authorities required for the administration and operation of the National Security Agency (NSA).

2. ORGANIZATIONAL RELATIONSHIPS

The National Security Agency is a separately organized Agency within the Department of Defense under the direction, authority and control of the Secretary of Defense who acts as Executive Agent of the Government for the maintenance and operation of the National Security Agency. To the extent applicable and consistent with the functions assigned to the Agency, DoD policies, regulations, and procedures will govern the Agency's operations. When DoD Directives, Instructions, or other authoritative issuances hereafter published refer to DoD Components or Defense Agencies, these terms include NSA unless the issuance itself specifically exempts NSA, or the Agency had obtained an exception or modification as provided below:

2.1. Originators of DoD Directives, Instructions, and substantive changes to these documents shall ascertain and consider the views of the Director, NSA, as appropriate.

2.2. If the Director, NSA, determines that DoD issuances would adversely affect the conduct of the mission of the Agency or interfere with its security requirements, he shall

recommend to the Secretary of Defense exceptions or modifications to these issuances within 90 days from the date of their promulgation.

3. ADMINISTRATIVE ARRANGEMENTS

The following specific arrangements and provisions will be applied in the administration and operation of the NSA:

3.1. Programming, budgeting, financing, accounting, and financial reporting activities of NSA will be in conformance with policies established by the Assistant Secretary of Defense (Comptroller). Disbursing services will be provided by the Military Departments.

3.2. The Director, NSA, will develop, in collaboration with the Military Departments, and submit to the Secretary of Defense, in accordance with applicable directives consolidated cryptologic plans and programs, together with the Director's recommendations as to requirements for military and civilian manpower, operating costs, investment in facilities and capital equipment, and research, development, test and evaluation.

3.3. The Director, NSA, shall make maximum use of the established facilities and services of the Military Departments and other DoD Components wherever practicable to achieve maximum efficiency and economy.

3.3.1. The Military Departments and other DoD Components shall provide such support to the NSA within their capabilities as may be necessary to carry out the assigned responsibilities of the Agency.

3.3.2. The need for and propriety of items procured for the NSA shall be determined by the Director, NSA, subject to DoD procurement regulations.

3.3.3. Although the Agency will operate its own printing plants, it will utilize the facilities of the Military Departments for the disposal of printing, binding, and related equipment that is surplus to the needs of the Agency. Such equipment will be removed promptly from the Agency facility by the Military Department concerned. When such equipment is being replaced, it will be removed concurrently with or prior to, as appropriate, the delivery of the replacement items. In other instances, when it is necessary for the convenience of the Agency that surplus printing equipment be removed prior to its final disposition by a Military Department or the General Services Administration, the cost of the removal will be borne by the Agency.

3.3.4. Other excess or surplus equipment and supplies of the Agency will be disposed of in accordance with DoD Directives.

3.4. Statistics, reports or information which will disclose the organization or any function of the NSA, any of its activities, or the names, titles, salaries, or number of persons employed by the Agency will not be released outside the Department of Defense to any individual, organization, or Government Department or Agency except when authorized by the Director, NSA, the Secretary of Defense, or other proper authority, or when required by law. Statistics and progress or status reports, including those pertaining to personnel employed by or assigned to the NSA, which are required by activities of the Office of the Secretary of Defense will be submitted by the Agency to the Directorate of Statistical Services, OASD(Comp), in accordance with the provisions of DoD Instruction 7700.3.

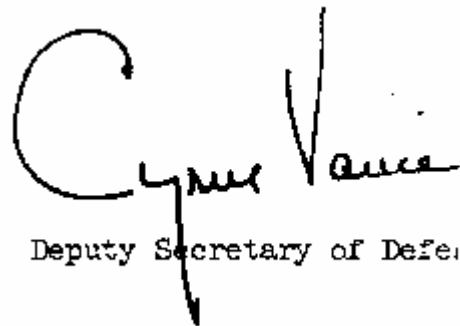
3.5. All military and civilian positions of the NSA are hereby designated as "critical sensitive positions" and will be treated as such in connection with investigative, security clearance, and employment matters.

4. DELEGATION OF AUTHORITY

An enclosure to this Directive contains delegations of the various administrative authorities required by the Director, NSA to administer and direct the operations of the Agency.

5. EFFECTIVE DATE AND CANCELLATION

This Directive is effective upon publication. Reference (b) is hereby superseded and canceled.



Cyrus Vance
Deputy Secretary of Defense

Enclosures - 1

E1. Delegations of Authority

E1. ENCLOSURE 1

DELEGATIONS OF AUTHORITY

E1.1.1. Pursuant to the authority vested in the Secretary of Defense, the following authorities, as required in the administration and operation of the National Security Agency (NSA), are hereby delegated, subject to the authority, direction, and control of the Secretary of Defense, to the Director, NSA, or in the event of the absence or incapacity of the Director, to the person acting for him to:

E1.1.1.1. Exercise the powers vested in the Secretary of Defense by Sections 302 and 3101 of title 5, United States Code, and Sections 2 and 4 of Public Law 86-36, as amended (50 U.S.C. 402 note), pertaining to the establishment of positions; the fixing of basic compensation; the employment, direction, and general administration of civilian personnel of the NSA subject to the following provisions:

E1.1.1.1.1. Positions established at the basic compensation equal to rates of basic compensation authorized for Grades 16, 17 and 18 of the General Schedule (5 U.S.C. 5332) are subject to the approval of the Secretary of Defense, and

E1.1.1.1.2. The rates of compensation for positions established under the provisions of Section 4 of Public Law 86-36, as amended (50 U.S.C. 402 note) will be subject to approval by the Secretary of Defense.

E1.1.1.2. Fix rates of pay for wage board employees in relation to prevailing rates for comparable job in the locality.

E1.1.1.3. Prescribe, as conditions of employment, that NSA employees:

E1.1.1.3.1. Must serve any place in the world as the needs of the Agency dictate, and;

E1.1.1.3.2. Must forego personal unofficial travel when the Director, NSA, determines that travel in the proposed area would constitute a hazard to national security.

E1.1.1.4. Administer oaths of office incident to entrance into the Executive Branch of the Federal Government or any other oath required by law in connection with employment therein, in accordance with the provisions of 5 U.S.C. 2903, and to designate in writing, as may be necessary, officers and employees of the NSA to perform this function.

E1.1.1.5. Grant additional compensation to civilian officers and employees of the National Security Agency who are citizens or nationals of the United States, in

accordance with and not to exceed additional compensation authorized by regulations of the State Department or the Civil Service Commission, whichever is applicable, for employees whose rates of basic compensation are fixed by statute.

E1.1.1.6. Establish advisory committees and employ or procure the services of part-time advisors as consultants and experts as approved by the Secretary of Defense for the performance of NSA functions pursuant to the provisions of 10 U.S.C. 173, 5 U.S.C. 3109, and the agreement between the Department of Defense and the Civil Service Commission on the employment of experts and consultants dated July 22, 1959; and waive compliance with any part or all of the requirements of rules 1, 2, and 3 in paragraph V.A. of DoD Directive 5030.13, dated April 20, 1962, for any advisory committee, other than an industry advisory committee, when the Director, NSA finds that compliance would render effective utilization of the committee impracticable and that such waiver would be in the public interest.

E1.1.1.7. Establish an NSA Incentive Awards Board and pay cash awards to, and incur necessary expenses for the honorary recognition of:

E1.1.1.7.1. Civilian employees of the Government whose suggestions, inventions, superior accomplishments, or other personal efforts, including special acts or services, benefit or affect NSA or its subordinate activities in accordance with the provisions of 5 U.S.C. 4501-4506 and Civil Service Commission and DoD Regulations; and

E1.1.1.7.2. Military assignees to the Agency whose suggestions, inventions scientific achievements or other meritorious special acts or services in connection with or related to their official duties benefit or affect NSA or its subordinate activities in accordance with 10 U.S.C. 1124 and DoD Directive 5120.15, dated December 3, 1965.

E1.1.1.8. Authorize persons to be provisionally employed before the completion of a full field investigation provided such persons are not given access to sensitive cryptologic information while so employed, in accordance with Section 302(a) of Public Law 88-290. In an exceptional case in which the Director makes a determination in writing that his action is necessary or advisable in the national interest, authorize the employment of any person, or the detail or assignment of any person to the Agency, and grant to any such person access to sensitive cryptologic information, on a temporary basis pending the completion of a full field investigation, provided in such a case priority shall be given to the full field investigation, in accordance with Section 302(a) of Public Law 88-290, DoD Directives 5210.8, dated February 15, 1962, and 5210.45, dated May 9, 1964.

E1.1.1.9. Provide for and establish boards of appraisal to assist the Director in discharging his personnel security responsibilities to appoint the members of such boards and to make the determination that a person's employment, detail, assignment, or access

to classified information is or is not in the national interest, in accordance with Section 302(b) of Public Law 88-290 and the provisions of DoD Directive 5210.45.

E1.1.1.10. Authorize the suspension, but not to terminate the services of an employee in the interest of national security in positions within the NSA, in accordance with the provisions of 5 U.S.C. 3571, 5594, 7312, 7532, Executive Order 10450, dated April 27, 1953, as amended, and DoD Directive 5210.7, dated September 2, 1966.

E1.1.1.11. Clear persons for access to classified defense material and information under the custody or jurisdiction of the NSA in accordance with the provisions of DoD Directive 5210.8, dated February 12, 1962, and DoD Directive 5210.45, dated May 9, 1964.

E1.1.1.12. Promulgate regulations governing the granting or denial of industrial clearances for access to sensitive cryptologic information and to regulate physical security in industry or NSA-sponsored contracts for sensitive cryptologic materials, in accordance with Executive Order 10065, as amended.

E1.1.1.13. Conduct counterintelligence and personnel security investigations relating to civilians and members of the armed forces who are employed in, or assigned to, the NSA.

E1.1.1.14. Promulgate the necessary security regulations for the protection of property and places under the jurisdiction of the Director, NSA, pursuant to the provisions of DoD Directive 5200.8, dated August 20, 1954.

E1.1.1.15. Classify, declassify and downgrade or upgrade the classification of defense information or material for which the NSA has responsibility pursuant to Executive Order 10501, dated November 5, 1953, as amended, and DoD Directive 5200.1, dated July 8, 1957, and to designate in writing, as may be necessary, officers and employees within the NSA to perform these functions.

E1.1.1.16. Act, with respect to NSA employees, as agent for the collection and payment of taxes imposed by Subtitle C of title 26, United States Code, and as such agent, to make all determinations and certifications required or provided for under Section 3122 of title 26, United States Code, and Section 205 (p)(1) and (2) of the Social Security Act, as amended (42 U.S.C. 405 (p)(1) and (2)).

E1.1.1.17. Authorize and approve overtime work of NSA civilian officers and employees of NSA in accordance with the provisions of Section 550.11 of the Civil Service Regulations.

E1.1.1.18. Authorize and approve:

E1.1.1.18.1. Travel for NSA civilian officers and employees in accordance with Joint Travel Regulations, Volume 2, DoD Civilian Personnel, dated July 1, 1965, as amended;

E1.1.1.18.2. Temporary duty travel only for military personnel assigned or detailed to NSA in accordance with Joint Travel Regulations, Volume 1, for the Uniformed Services, dated July 1, 1965, as amended;

E1.1.1.18.3. Invitational travel to persons serving without compensation whose consultive, advisory, or other highly specialized technical services are required in a capacity that is directly related to or in connection with NSA activities, pursuant to 5 U.S.C. 5703.

E1.1.1.19. Approve the expenditure of funds available for travel by military personnel assigned or detailed to NSA for expenses incident to attendance at meetings of technical, scientific, or professional or similar organizations in such instances where the approval of the Secretary of Defense or his designee is required by law (*37 U.S.C. 412*).

E1.1.1.20. Develop, establish, and maintain an active and continuing Records Management Program, pursuant to the provisions of Section 506(b) and (c) of the Federal Records Act of 1950, as amended (44 U.S.C. 396(b)), and when authorized, operate a records center pursuant to the provisions of 506(c) of the Federal Records Act of 1950 (44 U.S.C. 396(c)).

E1.1.1.21. Enter into and administer contracts in accordance with applicable laws, DoD Regulations and the Armed Services Procurement Regulations, directly or through a Military Department, a DoD contract administration services component, or other Government Department or Agency, as appropriate, for supplies, equipment and services required to accomplish the mission of the NSA. To the extent that any law or Executive order specifically limits the exercise of such authority to persons at the Secretarial level of a Military Department, such authority will be exercised by the Assistant Secretary of Defense (Installations and Logistics).

E1.1.1.22. Establish and use Imprest Funds for making small purchases of material and services other than personal for NSA when it is determined more advantageous and consistent with the best interests of the Government, in accordance with the provisions of DoD Instruction 7280.1, dated January 5, 1962, and the Joint Regulations of the General Services Administration --Treasury Department -- General Accounting Office, entitled "For Small Purchases Utilizing Imprest Funds."

E1.1.1.23. Establish and maintain appropriate property accounts for NSA and to appoint Boards of Survey, approve reports of survey, relieve personal liability and drop accountability for NSA property maintained in the authorized Departmental Property Account, which has been lost, damaged, stolen, destroyed, or otherwise rendered unserviceable, pursuant to the provisions of applicable laws and regulations.

E1.1.1.24. Act for the Secretary of Defense before the Joint Committee on Printing, the Public Printer, and the Director, Bureau of the Budget on all matters pertaining to printing, binding, and publication requirements of the NSA.

E1.1.1.25. Publish advertisements, notices, or proposals, in newspapers, magazines, or other public periodicals as required for the effective administration and operation of the NSA (44 U.S.C. 324).

E1.1.1.26. Enter into support and services agreements with the Military Departments, other DoD Components, and other Government Agencies, as required.

E1.1.1.27. The Director, NSA, may re-delegate these authorities, as appropriate, and in writing, except as otherwise specifically indicated above or as otherwise provided by law.